
**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 C.F.R. 1.53(d))

CHECK BOX, if applicable:  
 DUPLICATE

Address to:  
TRADEMARK OFFICE

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	TEX98-01A	10 / Rey.
First Named Inventor	David M. Mayes	Jo
Examiner Name	T. Nguyen	CPA
Group / Art Unit	2877	G. Stanley
Express Mail Label No.	EL290722185US	7-29-99

This is a request for a  continuation or  divisional application under 37 C.F.R. 1.53(d)

(continued prosecution application (CPA)) of prior application number 09 /019,667  
filed on 02/06/98, entitled Grain Quality Monitor, which is a continuation-in-part  
of prior application number 08/777,228 filed 12/30/96 entitled Short-Wave Near  
Infrared (SW-NIR) Analysis System and Method

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b), or (2) that national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file set.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 C.F.R. § 1.78(a).

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TECHNOLOGY CENTER 2800

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).

a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:

4.  A new power of attorney or authorization of agent is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

00000003 09019867  
07/21/1999 WMAN11  
01:103  
02:102  
03:131

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	47 - 20* =	27	x \$ 18 =	\$ 486
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	7 - 3** =	4	x \$ 78 =	\$ 312
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$-----
				BASIC FEE (37 CFR 1.16(a))	\$ 760
			Total of above Calculations =		\$1,558
			Reduction by 50% for filing by small entity (37 CFR §§ 1.9, 1.27, 1.28) =		\$-----
				TOTAL =	\$1,558
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$-----
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$1,558

6. Small entity status:

- a.  A small entity statement is enclosed.
- b.  A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c.  Is no longer claimed.

7.  A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

8.  A check is enclosed for \$ 1,558.00  Please charge \$ \_\_\_\_\_ to Deposit Account No. 08-0380.

9.  New Attorney Docket No. \_\_\_\_\_.

10.  a.  Receipt for Facsimile Transmitted CPA

b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

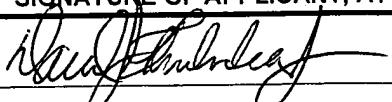
11.  Other: .....

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	19 July 1999
Submitted by Typed or Printed Name	David J. Thibodeau, Jr.	Reg. Number	31,671